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Smith, Horace Boardman.

The personal rights of the citizen,
the corner stone of the republic.



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Book . B 45

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PERSONAL RIGHTS OF THE CITIZEN

THE

Corner Stone of the Republic.

An Oration Delivered at Belmont, N. Y.,
July 4th, 1871, by

HON. H. BOARDMAN SMITH.

PUBLISHED BY THE COMMITTEE OF ARRANGEMENTS.

ELMIRA, N. Y. :

ELMIRA ADVERTISER ASSOCIATION PRINTING HOUSE.

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THE PERSONAL RIGHTS OF THE CITIZEN

THE

Corner Stone of the Republic.

FELLOW CITIZENS:—It is the glory of your land that within its borders, from sea to sea,
“There dwells no caged Lord,
Nor caged slave.”

Here there is no prince, but the citizen; and there is no citizen who is not a prince. You are the kings who reign in the empire of freedom. God grant that I may wisely counsel you, with what justice to men, with what obedience to God, with what faith in the eternal expediency of the right, you should temper your reign.

This fortune is not yours alone. Every nation upon the earth beholds you, rejoices in you, and looks the anchor of its hope in the assured rock of your success.

Like master-builders, then, whose work it is to guard and repair this edifice of freedom, shall we take up the question which the hour suggests:—what are

THE FOUNDATION STONES OF OUR LIBERTIES?

I will not carry the argument back to the reformation of Martin Luther, nor discuss the question whether civil liberty grows inevitably from the root of liberty of conscience; whether king-craft and priest-craft, by any law of necessity, stand or fall together. Nor have we time to dwell upon the question, which is nearer to my purpose, of the ministry in the civil affairs of nations, of

A FREE BIBLE.

History proves that somehow or other a free Bible has always been yeast of revolution—something so hot for despots that they have never deemed it a good thing to have in the house. Renan says it is the German universities that conquer in battle; but a free Bible is the architect of universities. The saying of Father Hyacinthe is more direct;

that Germany is great, and strong and free, and her citizen soldiers win victories on whatever field, not because they fight with the needle gun, but because they fight “with testaments in their hats.”

Not beginning, then, where the first tracks of liberty may be traced, it was God's foreordination that blew the wind which brought the Puritans to Plymouth Rock. Liberty has never thriven beneath sunny skies. The place of

HER NATIVITY IS IN THE MOUNTAINS, and on sterile soil. The ark of human liberties was with that little band of pilgrims, and they were “cast upon the rocks, and suckled with the she wolf's teat,” in order that the pioneers of freedom, should be made tough—fit for their work. So, through the revolution and in the war of the rebellion, this nation, still young, has been trained up for business—a liberty reared to last, even as the Goddess, in the old mythology, made her pupil immortal by feeding him with divine milk by day, and burying him in the fire at night.

I need not argue to prove to you that New England character, like New England hills, is slow to rear and somewhat obdurate to stand; that in governmental affairs it loves the saddle, and is somewhat hard to be unhorsed; that a north-east storm, in revolution, in religion or in politics, which blows from New England, is very much like a snow storm from the same direction—you get more than you want. Nor, I take it, will I need to prove by argument anywhere in this county, that a colonized Yankee clings to his early faith, just as a transported sea-dog hugs to

his cake of ice. Like a convinced Scotchman he is "of the same opinion still."

And when, if ever, our ship of state, freighted with the world's liberties, shall drag its anchor across the continent, and lock its last fluke into the granite heart of New England, that will hold like the promise of God!

With this New England fealty to freedom vied the other colonies; and the fathers, like wise builders, dug deep for the hard-pan, and in the Declaration of Independence, laid the foundations of the Republic upon

THE PERSONAL RIGHTS OF THE CITIZEN.

The law of progress, manifest in the physical world, is equally manifest in the social history of the race.

'Twas only the centuries, that had evolved those truths, so threadbare and seemingly so simple to us, that human governments are for the benefit of the ruled, not of the rulers; that they "derive their just powers from the consent of the governed," and "are instituted to secure the rights of life, liberty and the pursuit of happiness"; and that their foundations should be laid on such principles as "will effect the

SAFETY AND HAPPINESS OF THE PEOPLE."

Like the ten commandments, and the law of gravitation in Newton's day, these general, simple truths have been scoffed at, as "glittering generalities." But ideas, however nicknamed, which take hold of the consciences of the people, have always ruled, and will always rule, the fortunes of men. It was an idea that led to the Reformation. It was the idea of state rights which led to the war of the rebellion. It was an idea that made a teapot of Boston harbor. And Carlyle well says that in the first revolution the French nation guillotined a whole generation to make room for an idea!

The architects of the Republic sought to lay its foundation stones upon the sentiment of eternal justice in the human heart: come closer to the thought; of personal justice, and from that, to rear the superstructure of human liberty, by the plummet. They adopted the statesmanship of a humorous philosopher: "Folks that work thorough are the ones that thrive. Build sure in the beginning, and then don't never touch the underpinning."

In this way, the sentiment of justice in the human heart came to be the bed-rock of the

Republic. And the human heart is a kingdom that cannot be moved!

It is only time, however, that sets the mortar of human wisdom, and all history has proved that

ENDURING GOVERNMENTS ARE NOT MADE;
THEY GROW.

The boasted constitution of England, never written, has grown up by kingly concessions from time to time, by precedents. So has our own government; so has our constitution grown, since, for instance, the time, when it was doubted, whether the government had power to coerce a rebel State, and grown, too, it must be conceded, for pride or shame, by construction, by precedent, almost out of recollection, to some people. So, too, has the constitution grown, by amendment. Thought a complete thing at first, it has been patched, by amendment, fifteen times!

There is something in Scripture, I believe, against putting a piece of new cloth into an old garment, lest the rent be made worse. But whether this work has been wise tailoring, or not, I guess nobody doubts, that either the 13th, 14th, or 15th patch, was a bigger thing than the original job. And the time is hard by when we shall adopt the 16th amendment;—if the ladies can satisfy us, that a patch of calico won't tear a wool constitution.

Fellow Citizens: It is matter for earnest congratulation, that these amendments are accepted, by all political parties in the country. It is said that in Egypt, the railroad engineers back up and load the tenders of their locomotives with the dry mummies of the catacombs for fuel. So, from this time, will we, of all political parties, fellow citizens, make the dead and dry issues of the past give to our country only new speed of progress, and engage in generous and glorious rivalries for freedom.

It was the leaven of liberty in the constitution, which has purged the constitution by a sort of self-purification. There is no partisan sentiment in the burning words:

"At last! at last! Oh, Stars and Stripes!
Touched in your birth by freedom's flame,
Your purifying lightning wipes,
Out from our history, its shame!"

The Constitution of the Union, like the constitution of a child, has outgrown its

weakness. The timothy has run out the June grass!

In governments, as in everything else in nature, it is the germ that grows.

LET THAT GERM BE FREEDOM, and the overshadowing tree of liberty, which shall come of it in the suns and storms of the centuries, shall shelter the millions of our people and drop its leaves, for the healing of the nations! Not only on its boughs shall hang bells, proclaiming liberty throughout the earth, but they shall be peopled, with hovering angels, coming nearer unto men, and its silver leaves shall shimmer with the dawning of millennial light.

Then tie your government to a stiff stake and let it grow. Let it grow in the way

THAT CHERISHES THE CITIZEN, that gives him good wages, and a comfortable home; that saves the homesteads of your public domain, and all your national wealth for him; that reduces his taxes, educates his children, and makes his prosperity and the prosperity of the government indistinguishable.

See to it that your rulers understand that the true glory of a nation is only in

THE INTELLIGENCE, THE VIRTUE AND THE HAPPINESS OF ITS PEOPLE.

And see to it that they hew to that line.

State sovereignty is dear to us, only because we judge it protects the rights of the people. It has been a grave political question—a difficult question—and it is fit that I should say a doubtful question, about which parties differ, whether the more recent growth of our government trenching somewhat, perhaps, upon our notions of state sovereignty, in the supposed interest of the liberties of the citizen, has been in all things a healthy growth. Look to it sharply, fellow citizens, and if it is not, go to the woods and cut a straighter stake. Your decision will be right. The voice of the people is the voice of God.

Already have the people of all parties spoken, demanding that the newly made, citizens of the Republic shall be left where they are; and that no attempt be made to put chickens, that are hatched and have peeped, that have eaten some corn and angleworms, back into the shell.

Fellow citizens: Is it not the feeble approach which the theory of our government makes, to God's even-handed justice, which has in our past history,

COMMENDED US TO GOD'S FAVOR?

His grand purposes in hiding this virgin continent for so many ages behind the seas, are being fast revealed in the evolving destiny of the GREAT REPUBLIC!

By sight, if not by faith, let us come to know, and give him the honor of the acknowledgement, that in our past, our present and our future,

"The God of David still,
Guides the pebble at his will."

I knew an atheist, of high intelligence, converted to implicit faith in God, by the inexorable logic of the events of the recent war. No attentive ear, it seems to me, can have failed to hear, with the staggering blows the nation has often received, the "ring of God's anvil," tempering the hearts of this people to a higher faith, in

THE EXPEDIENCY OF THE RIGHT.

'Twas simple faith in the divine appointment of our destiny, which has carried us through many a national crisis, when the hour was supreme. And I beg you to remember, and teach it to your children, that in the raggedest hour in all our history, when Governor Yates sent to President Lincoln a dispatch, which was only the nation's cry of despair, it was the faith of that martyred Seer of liberty, which held this faint and bleeding people manfully up to their desperate work, and which was uttered fitly for a joking prophet, in that memorable answer:

"Hold on, Dick, and see the salvation of the Lord!"

It is Holy Writ, which teaches, that human governments are of God. 'Tis simple atheism to assert that God takes no stock in the prosperity and perpetuity of a government, whose prerogatives are only used in guarding the personal rights of all men. It is simply saying that God takes no interest in the dispensation of God's justice, among men.

Look now, fellow citizens, and see if a danger has ever threatened the perpetuity of the Union, which has not sprung, proximately, or very closely, from some

DEPARTURE FROM PERSONAL JUSTICE

in the government of the country. We give all honor to the prophet statesman who laid upon this rock, of the personal rights of the citizen, the foundations of the Republic; Wisely as they knew, they builded; they builded, even better, than they knew. Nevertheless, they departed at the beginning, from

the principles of the Declaration. Rejecting the divine right of Kings, they did not comprehend in their full inviolability, the divine rights of the people. In the recognition of slavery, they yoked together in the Constitution, antagonistic principles. counter-forces that would not pull together. They saw it themselves; so history records; but they hoped for the gradual extirpation of slavery. But then, as ever, in compromises between the right and the wrong, the Devil got the best of it. While they slept in security, he hovered over the South, sowing, not tares, but cotton seed.

Even the Goddess of Liberty, whom they had clothed in garments that were all wool, and made, not a divinity at every fireside, but unwisely set only on the domes of great edifices, and left out in the wet, an "unprotected female;" he, dressed up in calico, and then audaciously sat up with her!

The sequel proved that it is true for Goddesses, as for other people, that "he that sups with the devil, needs to have a long spoon."

Fellow citizens: Has any one of us faith enough and grasp enough, to take in the grand

DESTINY OF THIS EMPIRE OF FREEDOM?

All thoughtful men have studied much upon the decay of empire. Time fails me, but it is demonstrable, that our government, bounded by the seas, can never perish by foreign conquest. It can not be divided, while the late effort to divide it, remains in the memory of men, and because we are now made a homogeneous people, with no North, no South, no East, no West. A government where all religions are free, cannot perish by a religious war. It can not perish by military usurpation; because, happen what will to the federal government, anarchy, the only stepping stone to the usurper, can never follow; as every one of the thirty-seven separate and independent states, would still stand quiet and secure—a tub on its own bottom. Our government does not, like every republic which has perished in history, carry all its eggs in one basket, the capital, which can any day, be broken by a mob. Indeed, the Union is so strong and self-regulating, that there is always one political party, the opposition, which believes that, like a turtle, it would navigate, till the next election at least,

with its head off, better than with it on. Nor is it possible, with our churches, and press and schools, that the nation shall perish because the people shall decay; nor that the people themselves shall ever wish to overthrow a government, administered only for the protection of the rights of the people; nor that belonging, as every citizen does, to the reigning family, he shall ever wish to abdicate his throne. If, then, this nation is to perish, it must perish in some way

WITHOUT PRECEDENT IN HISTORY,
and which human wisdom cannot predict.

Fellow citizens: Does not this day bring back to you, the yet unforgotten faces of the canonized dead? How, only yesterday, with tender tears and lusty prayers, did you follow the bloody marches of the 23d, 27th, 61th, 67th, 85th, 93d, 136th, 141st, 189th N. Y. Infantry, of the 1st Dragoons, the 5th Cavalry, the Ira Harris Light Cavalry, and watch the smoke of the siege which hid from sight your loved ones in the 4th and 13th Heavy Artillery? Alas! how many of these brave boys do not yet return, though the cheeks of waiting children still press the window pane!—Where is the heart stout enough to call the muster-roll?

Not for military glory, but because they loved liberty and the Union; did they go to gather into their generous bosoms, the bullets of our enemies!

"On field and redoubt,
They were mustered out,
And mustered into eternal life!"

How many an acre of our wide domain is made to-day by their consecrated ashes, the God's-acre of liberty! And how does the silent eloquence of their tongues, still in death, plead with us to guard well the liberties they have saved;—to make this Union a Union of hearts as well as of hands, by making

SECURITY FOR THE FUTURE OUR ONLY REVENGE FOR THE PAST—

How, upon every hill and in every valley of Allegany county, stand the monuments of what our liberties have cost, in the ruins of desolated homes! No human hand can build them anew; but you can grace them, fellow-citizens, with the ivy of a gratitude forever green! How many a pale faced widow can you count among you for whom God has no mercy, which she covets so much, as the mercy he denies her—the liberty to sleep be-

side her unshrouded loved and lost, in some unmarked grave in the Peninsula, the valley of the Shenandoah, on the march to the sea, at Plymouth, Bull Run, Seven Pines, Malvern Hill, Chancellorsville, Resacca, Peach Tree Creek, Suffolk, the Wilderness, Cold Harbor, Winchester, Cedar Creek, or some other battle field of the war, or, Oh! God! at Andersonville!

Hope springs eternal, in all human hearts, but hers:

"Her soul shall weep,
While memory lives,
From wounds that sink so deep,
No human hand relieves!"

There can be no legislation that, for her can "lighten the taxes," until, by the merciful hand of death she, too, is mustered out; and to her, also, thank God, at last, at last, this cruel war is over!

I recall a gifted, beautiful and loving wife, of a private of one of the regiments I have named, who was borne down with loneliness and anxiety until, at last, "the bowl was broken at the cistern, and the pitcher broken at the fountain." I have read the letter, which she wrote to her husband, *the day before she died*, telling him to keep his courage up, that the baby and she were well. Was not her soul shriven of the lie, as she wended her swift way to the presence of God; a pure spirit, self-robed for the altar of her country!

Oh! may God give our country some historian, who shall fitly record the truth, that the LOYAL WOMEN of the country, who spent their days in cheering men to the front, and their nights in tears over their desolated homes, paid MORE THAN HALF of what it cost to save the Union.

Mr. President and Mr. Marshal*: I would fain lay upon your brows a chaplet of laurels; but as I look upon your eloquent scars, and that "honorable sleeve," my tongue

*Gen. McNett was President, and Gen. Scott Marshal of the day.

falters. In those swift hours of our national life, at Port Republic and Peach Tree Creek, as on half a dozen other fields, you mixed with the red wize of the heart, the crimson mortar, with which the stones of history were laid! You and such as you, as well as the glorious dead, are ours. You loved yourselves last, and we have entered into your labors. A grateful nation wears you in her heart of hearts. Wear your honors proudly and worthily the great deeds you have wrought.

Soldiers! Represented only by a substitute in the armies of Freedom, I am not worthy to unloose the latchet of your shoe. The place you sought was not at home, nor in the commissary department, nor in the quartermaster's department, but at the front in the bullet department. You bore the flag, always without dishonor, into the very jaws of hell! You covered that flag all over with glory; and in the name of the Republic I proclaim to you, the glory of that flag is yours. And when you pass away you shall take your places among the heroes of all time, conscious that through your labors we have entered upon the golden age of the Republic—become a redeemed and glorious Young America.

Fellow-Citizens:—The flinty valor which has thus brought us a fruitful victory and a lasting peace because born of a liberty which cherishes the citizen—has only set the Union back upon the rails of God's decrees. As this land, since it came from the hands of its architect, has been saved, free from the curse of kingcraft, dedicated to virgin freedom; so, from the temple, the Divinity shall not depart! The eternal song of liberty is in the voice of its waterfalls and the roar of its pines! God has not reared its craggy mountains as great altars of unhewn stones to Freedom, to stand priestless before the Universe; nor has he scooped out the valley of the Mississippi, to be "the grave of liberty."

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